

**UNITED STATES OF AMERICA,**

**v.**

**ROBERT LEE BARRINGER,**

**Defendant.**

**THIS MATTER** is before the Court following a status hearing on July 18, 2022, where District Judge Robert J. Conrad, Jr. referred this matter to the undersigned for an inquiry of counsel hearing. Prior to the status hearing, defense counsel Kelly Johnson filed an ex parte “Declaration of Counsel” (Doc. 26) on July 15. This Court conducted a hearing on July 19, 2022. A portion of the hearing was conducted ex parte. The Court heard from the Defendant, defense counsel, and the Government.

In short, Defendant is stubbornly refusing to cooperate with his counsel. He did not articulate a credible basis for removing Mr. Johnson other than his general dissatisfaction with his present circumstances. Defendant has declined two previous plea offers from the Government. The Court advised him that it is his choice whether or not to go to trial. Counsel represents that he will be prepared for trial and can effectively represent the Defendant.

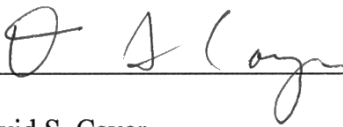
“Because the right to choose counsel is not absolute, it necessarily follows that a defendant does not have an absolute right to substitution of counsel. As a general rule, a defendant must

show good cause in requesting a new appointed lawyer.” United States v. Mullen, 32 F.3d 891, 895 (4th Cir. 1994). The Court does not find good cause to remove Mr. Johnson as appointed counsel. The Court concludes that counsel is providing effective representation here and Defendant’s oral motion to remove appointed counsel is denied.

The Clerk is directed to send copies of this Order to counsel for the parties, including but not limited to moving counsel and to the Honorable Robert J. Conrad, Jr.

**SO ORDERED.**

Signed: August 4, 2022

  
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David S. Cayer  
United States Magistrate Judge

